



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:

Permanent Rules

☐ 31 days after filing.
☒ Other (specify) 2/1/2005 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: Chapter 296-864 WAC, Split (Multipiece) Rim and Single-Piece Rim Wheels; Chapter 296-24 WAC, General Safety and Health; Chapter 296-155 WAC, Safety Standards for Construction Work

The split rim rules in chapter 296-24 WAC, General Safety and Health Standard, and chapter 296-155 WAC Safety Standards for Construction Workers were rewritten and reorganized for clarity and ease of use for employers and employees. The two sections have become one rule and placed into a new chapter, 296-864 WAC, and repealed from chapter 296-24 WAC and chapter 296-155 WAC. This rulemaking is part of our clear rule writing initiative to rewrite for clarity all of the safety and health rules.

Citation of existing rules affected by this order:

Repealed: See attachment 1

Amended:

Suspended:

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Other authority: None.

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-12-071 on June 1, 2004.

Describe any changes other than editing from proposed to adopted version: See attachment 2

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name:

Phone

Address:

Fax

E-mail

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: October 5, 2005

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR#04-20-079

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>23</u>	Amended	_____	Repealed	<u>15</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>23</u>	Amended	_____	Repealed	<u>15</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>23</u>	Amended	_____	Repealed	<u>15</u>

(1) Citation of existing rules affected by this order:

AMENDED SECTIONS:

WAC 296-24-233, Motor vehicle trucks and trailers

REPEALED SECTIONS:

WAC 296-24- 21701	Scope
WAC 296-24- 21703	Definitions
WAC 296-24-21705	Employee training
WAC 296-24- 21707	Tire servicing equipment
WAC 296-24- 21709	Wheel component acceptability
WAC 296-24- 21711	Safe operating procedure -- Multipiece rim wheels
WAC 296-24- 21713	Safe operating procedure -- Single-piece rim wheels
WAC 296-155-617	Servicing multipiece and single-piece rim wheels
WAC 296-155-61701	Scope
WAC 296-155-61703	Definitions
WAC 296-155-61705	Employee training
WAC 296-155-61707	Tire servicing equipment
WAC 296-155-61709	Wheel component acceptability
WAC 296-155-61711	Safe operating procedure -- Multipiece rim wheels
WAC 296-155-61713	Safe operating procedure -- Single-piece rim wheels

(2) Describe any changes other than editing from proposed to adopted version:

There were two changes to the proposed wording. The first is located in WAC 296-864-20010, a bullet that reads, "Make sure you don't repair any rim wheel that is cracked, broken, bent, or damaged," was added. The second is located in Table 3, when inflating tires outside of a restraining device, make sure you don't exceed 5 psi to seat the bead.

The changes made between the proposed rules and the final rules were needed to correct an inadvertent error, which left two requirements out of the rule. The changes were noted and read at the hearing.